

UNITED STATE DISTRICT COURT  
DISTRICT OF MASSACHUSETTS

C.A. NO.: 05-CV-11538-NMG

PATRICK R. TREANOR,  
LORRAINE KELLEY TREANOR,  
INDIVIDUALLY, AND AS PARENT  
AND NEXT FRIEND OF  
MADELYN TREANOR, AND AS  
PARENT AND NEXT FRIEND OF  
ALLISON TREANOR  
*Plaintiff*

v.

NATIONAL RAILROAD PASSENGER CORPORATION  
(a/k/a "AMTRAK") AND  
CSX TRANSPORTATION, INC.  
*Defendants*

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**FRCP 26 (a) (1) Discovery Response**

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On behalf of Plaintiffs, counsel hereby makes initial discovery disclosures pursuant to Federal Rule of Civil Procedure 26 (a) (1):

(A)

The four plaintiffs have discoverable information in support of their claims. The plaintiffs all reside at 122 Curve Street, Dedham, MA 02026.

Plaintiffs' physicians, all of whom are identified in treatment records, which have been previously produced to defendant AMTRAK, and which are available for further inspection and copying at the office of plaintiffs' counsel.

Dana C. Hewins, Ph.D. – 1 Tamett Brook Road, Lakeville, MA 02347. Dr. Hewins is an economist retained by the plaintiffs, and is expected to be called as an expert witness on their behalf. He has reviewed tax records of the plaintiffs, tax records and payroll records of Perfusion Supply, Inc. (Mr. Treanor's company) and records concerning Mr. Treanor's Veteran's Administration contract for Perfusion Supply, Inc. All of the aforementioned records reviewed to date by Dr. Hewins have been supplied to defendant AMTRAK, and are also available for further inspection and copying at the offices of plaintiffs' counsel. These records include the names and addresses of employees of Perfusion Supply, Inc. who may have information relative to the claims of Patrick Treanor.

Rule 26 response, Pg.2, 11/11/2005

(B)

Medical records, billing statements, tax records of the plaintiffs' and tax records and business records of Perfusion Supply, Inc. are available at the office of Plaintiffs' counsel, at 803 Hancock St., Quincy, MA 02170, for further inspection and copying. See also attached exhibits A – H. Supplemental records and bills have been sought from providers and will be produced to defendants as soon as received.

(C)

See attached exhibits A – H. Further answering, report of Dr. Hewins, dated 10/1/2003 has previously been provided to defendants, and can also be reviewed and copied at the office of plaintiffs' counsel.

(D)

No responsive documents.

Respectfully submitted,  
Cosgrove, Eisenberg & Kiley, P.C.

/s/ Peter M. McElroy  
Peter M. McElroy, Esq. (BBO No: 332480)  
Cosgrove, Eisenberg & Kiley, P.C.  
803 Hancock Street  
Quincy, MA 02170  
Phone: (617) 479-7770  
Fax: (617) 773-6901

**CLIENT:** Patrick R. Treanor

**DATE OF LOSS:** April 18, 2002

**OUR FILE NO.:** trt10883

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**CHRONOLOGICAL LIST OF MEDICAL RECORDS**

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**A.**

04/18/02	Putnam Community Medical Center – Emergency Department Record Charles T. Donaldson, M.D.
04/18/02	Putnam Community Medical Center – Conditions for Treatment
04/19/02	Putnam Community Medical Center – Office Note Bryan Denham, M.D.
04/22/02	Brigham & Women’s Hospital – Referral – Consultation Form John Ready, M.D.
04/22/02	Brigham & Women’s Hospital – Progress Notes Physical Therapy
04/22/02	Brigham & Women’s Hospital – Office Note John Ready, M.D.
04/22/02	Brigham & Women’s Hospital – Radiology - Diagnostic Report Leyla Alparslan, M.D.
04/26/02	New England Baptist Hospital – Office Note Michael J. Lowney, M.D.
05/03/02	New England Baptist Hospital – Office Note Michael J. Lowney, M.D.
05/06/02	New England Baptist Hospital – Authorization Form / Questionnaire Michael J. Lowney, M.D.

05/06/02	New England Baptist Hospital – Office Note Michael J. Lowney, M.D.
05/10/02	New England Baptist Hospital – Office Note Michael J. Lowney, M.D.
05/17/02	New England Baptist Hospital – Office Note Michael J. Lowney, M.D.
05/20/02	Brigham & Women’s Hospital – Office Note John Ready, M.D.
05/21/02	Quest Diagnostics – Office Note
05/21/02	New England Baptist Hospital – Office Note Michael J. Lowney, M.D.
05/31/02	New England Baptist Hospital – Office Note Michael J. Lowney, M.D.
06/07/02	New England Baptist Hospital – Office Note Michael J. Lowney, M.D.
06/11/02	New England Baptist Hospital – Office Note Michael J. Lowney, M.D.
06/20/02	New England Baptist Hospital – Office Note Michael J. Lowney, M.D.
06/27/02	New England Baptist Hospital – Office Note Michael J. Lowney, M.D.
07/02/02	New England Baptist Hospital – Office Note Michael J. Lowney, M.D.
07/09/02	Brigham & Women’s Hospital – Office Note John Ready, M.D.
12/02/02	Brigham & Women’s Hospital – Office Note John Ready, M.D.

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**CHRONOLOGICAL LIST OF MEDICAL BILLS**

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**B.**

04/18/02	Putnam Medical Center P.O. Box 778 Palatka, FL 32178-0778 Charles T. Donaldson, M.D.	515.00
04/22/02	Brigham & Women's Hospital P.O. Box 9111 Charlestown, MA 02129-9111 Leyla Alparslan, M.D.	529.00
04/22/02	Brigham & Women's Hospital John Ready, M.D.	604.00
04/22/02	Brigham & Women's Hospital John Ready, M.D.	350.00
04/26/02	New England Baptist Hospital 2081 Centre Street West Roxbury, MA 02132 Michael J. Lowney, M.D.	130.00
05/03/02	New England Baptist Hospital Michael J. Lowney, M.D.	130.00
05/06/02	New England Baptist Hospital Michael J. Lowney, M.D.	815.00
05/10/02	New England Baptist Hospital Michael J. Lowney, M.D.	130.00
05/17/02	New England Baptist Hospital Michael J. Lowney, M.D.	130.00
05/20/02	Brigham & Women's Hospital John Ready, M.D.	200.00

05/21/02	New England Baptist Hospital Michael J. Lowney, M.D.	115.00
05/31/02	New England Baptist Hospital Michael J. Lowney, M.D.	130.00
06/07/02	New England Baptist Hospital Michael J. Lowney, M.D.	130.00
06/11/02	New England Baptist Hospital Michael J. Lowney, M.D.	130.00
06/22/02	New England Baptist Hospital Michael J. Lowney, M.D.	130.00
06/27/02	New England Baptist Hospital Michael J. Lowney, M.D.	130.00
07/02/02	New England Baptist Hospital Michael J. Lowney, M.D.	130.00
07/09/02	Brigham & Women's Hospital John Ready, M.D.	130.00
12/02/02	Brigham & Women's Hospital John Ready, M.D.	<u>130.00</u>
<b>TOTAL:</b>		<b>\$ 4,688.00</b>

**CLIENT:** Lorraine Kelley Treanor

**DATE OF LOSS:** April 18, 2002

**OUR FILE NO.:** trt10883

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**CHRONOLOGICAL LIST OF MEDICAL RECORDS**

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**C.**

04/18/02	Putnam Community Medical Center – Emergency Department Record Charles T. Donaldson, M.D.
04/18/02	Putnam Community Medical Center – Emergency Physician Record Charles T. Donaldson, M.D.
04/18/02	Putnam Community Medical Center – Emergency Nursing Triage Record Beth Stewart, R.N.
04/18/02	Putnam Community Medical Center – E.D. Nurse’s Notes S. Collie, R.N.
04/18/02	Putnam Community Medical Center – E.D. Office Note / Report Charles T. Donaldson, M.D.
04/22/02	Brigham & Women’s Hospital – Referral – Consultation Form John Ready, M.D.
04/22/02	Brigham & Women’s Hospital – Progress Notes Physical Therapy
04/22/02	Brigham & Women’s Hospital – Office Note John Ready, M.D.
04/22/02	Brigham & Women’s Hospital – Radiology - Diagnostic Report Piran Aliabadi, M.D.
04/24/02	New England Baptist Hospital – Office Note Michael J. Lowney, M.D.

05/03/02	New England Baptist Hospital – Office Note Michael J. Lowney, M.D.
05/06/02	New England Baptist Hospital – Authorization Form / Questionnaire Michael J. Lowney, M.D.
05/09/02	Boston Imaging Associates, P.C. – Radiologic Examination Report Elizabeth Wilson, M.D.
05/10/02	New England Baptist Hospital – Office Note Damon Spitz, M.D.
05/13/02	New England Baptist Hospital – Office Note Michael J. Lowney, M.D.
05/14/02	New England Baptist Hospital – Office Note Michael J. Lowney, M.D.
05/20/02	Brigham & Women’s Hospital – Office Note John Ready, M.D.
05/24/02	New England Baptist Hospital – Office Note Michael J. Lowney, M.D.
05/30/02	New England Baptist Hospital – Office Note Michael J. Lowney, M.D.
06/06/02	New England Baptist Hospital – Office Note Michael J. Lowney, M.D.
06/07/02	Boston Imaging Associates, P.C. – Radiologic Examination Report Susan Davis, M.D.
06/10/02	New England Baptist Hospital – Office Note Michael J. Lowney, M.D.
06/14/02	New England Baptist Hospital – Office Note Michael J. Lowney, M.D.
06/17/02	New England Baptist Hospital – Office Note Michael J. Lowney, M.D.
06/19/02	Tufts University School of Medicine – Office Note Steven Kaufman, Ph.D.
06/27/02	New England Baptist Hospital – Office Note



Michael J. Lowney, M.D.

07/12/02	New England Baptist Hospital – Office Note Michael J. Lowney, M.D.
07/22/02	New England Baptist Hospital – Office Note Michael J. Lowney, M.D.
07/30/02	New England Baptist Hospital – Office Note Michael J. Lowney, M.D.
07/31/02	Open MRI of Dedham – Office Note David D. Stark, M.D.
08/05/02	New England Baptist Hospital – Office Note Michael J. Lowney, M.D.
08/13/02	New England Baptist Hospital – Office Note Michael J. Lowney, M.D.
08/22/02	New England Baptist Hospital – Office Note Michael J. Lowney, M.D.
09/06/02	New England Baptist Hospital – Office Note Michael J. Lowney, M.D.
09/13/02	New England Baptist Hospital – Office Note Michael J. Lowney, M.D.
09/20/02	New England Baptist Hospital – Office Note Michael J. Lowney, M.D.
09/24/02	New England Baptist Hospital – Office Note Michael J. Lowney, M.D.
10/01/02	New England Baptist Hospital – Office Note Michael J. Lowney, M.D.
10/08/02	New England Baptist Hospital – Office Note Michael J. Lowney, M.D.

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**CHRONOLOGICAL LIST OF MEDICAL BILLS**

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**D.**

04/18/02	Putnam Medical Center P.O. Box 778 Palatka, FL 32178-0778 Charles T. Donaldson, M.D.	1,720.22
04/22/02	Brigham & Women's Hospital P.O. Box 9111 Charlestown, MA 02129-9111 John Ready, M.D.	350.00
04/24/02	New England Baptist Hospital 2081 Centre Street West Roxbury, MA 02132 Michael J. Lowney, M.D.	130.00
05/03/02	New England Baptist Hospital Michael J. Lowney, M.D.	95.00
05/06/02	New England Baptist Hospital Michael J. Lowney, M.D.	130.00
05/10/02	New England Baptist Hospital Michael J. Lowney, M.D.	815.00
05/13/02	New England Baptist Hospital Michael J. Lowney, M.D.	95.00
05/20/02	Brigham & Women's Hospital John Ready, M.D.	200.00
05/24/02	New England Baptist Hospital Michael J. Lowney, M.D.	225.00
05/30/02	New England Baptist Hospital Michael J. Lowney, M.D.	95.00
06/06/02	New England Baptist Hospital Michael J. Lowney, M.D.	130.00

06/10/02	New England Baptist Hospital Michael J. Lowney, M.D.	95.00
06/14/02	New England Baptist Hospital Michael J. Lowney, M.D.	95.00
06/21/02	New England Baptist Hospital Michael J. Lowney, M.D.	130.00
06/27/02	New England Baptist Hospital Michael J. Lowney, M.D.	95.00
07/12/02	New England Baptist Hospital Michael J. Lowney, M.D.	130.00
07/22/02	New England Baptist Hospital Michael J. Lowney, M.D.	130.00
07/30/02	New England Baptist Hospital Michael J. Lowney, M.D.	95.00
08/13/02	New England Baptist Hospital Michael J. Lowney, M.D.	95.00
08/22/02	New England Baptist Hospital Michael J. Lowney, M.D.	95.00
09/06/02	New England Baptist Hospital Michael J. Lowney, M.D.	95.00
09/13/02	New England Baptist Hospital Michael J. Lowney, M.D.	130.00
09/20/02	New England Baptist Hospital Michael J. Lowney, M.D.	95.00
09/24/02	New England Baptist Hospital Michael J. Lowney, M.D.	130.00

**TOTAL:           \$ 5,395.22**

**CLIENT:**               **Madelyn Treanor**

**DATE OF LOSS:**   **April 18, 2002**

**OUR FILE NO.:**     **trt10883**

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**CHRONOLOGICAL LIST OF MEDICAL RECORDS**

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**E.**

04/18/02	Putnam Community Medical Center – Emergency Department Record Charles T. Donaldson, M.D.
04/18/02	Putnam Community Medical Center – Emergency Nursing Triage Record Pelham, R.N.
04/18/02	Putnam Community Medical Center – Emergency Physician’s Orders Nick Anderson, M.D.
04/18/02	Putnam Community Medical Center – E.D. Nurse’s Notes
04/22/02	Dedham Medical Associates, Inc. – Progress Note Lisbeth M.B. Howe, M.D.
05/07/02	Dedham Medical Associates, Inc. – Progress Note Lisbeth M.B. Howe, M.D.
05/08/02	Dedham Medical Associates, Inc. – Prescription / Referral Authorization Lisbeth M.B. Howe, M.D.
05/11/02	Dedham Medical Associates, Inc. – Progress Note / Referral Authorization Lisbeth M.B. Howe, M.D.
05/14/02	Dedham Medical Associates, Inc. – Prescription / CT Scan Lisbeth M.B. Howe, M.D.
05/24/02	Dedham Medical Associates, Inc. – Check Up Lisbeth M.B. Howe, M.D.
05/24/02	Newton-Wellesley Hospital – E.D. Registration / Clinical Information Brian Sard, M.D.

05/24/02	Newton-Wellesley Hospital – E.D. Physician’s Notes Brian Sard, M.D.
05/24/02	Newton-Wellesley Hospital – Progress Notes Brian Sard, M.D.
05/24/02	Newton-Wellesley Hospital – PCI Radiology Report S. Mitchell Rivitz, M.D.
05/30/02	Dedham Medical Associates, Inc. – Progress Note Lisbeth M.B. Howe, M.D.
07/08/02	Children’s Hospital Boston – Office Note Mark R. Proctor, M.D.
09/06/02	Dedham Medical Associates, Inc. – Progress Note Lisbeth M.B. Howe, M.D.
12/06/02	Dedham Medical Associates, Inc. – Progress Note Lisbeth M.B. Howe, M.D.
01/06/03	Dedham Medical Associates, Inc. – Progress Note Lisbeth M.B. Howe, M.D.
01/13/03	Dedham Medical Associates, Inc. – Progress Note Lisbeth M.B. Howe, M.D.
01/13/03	Open MRI of Dedham – MRI of the Brain Harvey L. Levine, M.D.
01/13/03	Quest Diagnostics Salim E. Kabaat, M.D.
01/30/03	Dedham Medical Associates, Inc. – Progress Note Lisbeth M.B. Howe, M.D.
02/12/03	Dedham Medical Associates, Inc. – Progress Note Lisbeth M.B. Howe, M.D.

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**CHRONOLOGICAL LIST OF MEDICAL BILLS**

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**F.**

04/18/02	Putnam Medical Center P.O. Box 778 Palatka, FL 32178-0778 Charles T. Donaldson, M.D.	145.00
04/22/02	Dedham Medical Associates, Inc. P.O. Box 9136 Dedham, MA 02027 Lisbeth M.B. Howe, M.D.	92.00
05/24/02	Newton-Wellesley Hospital Patients Account Department 2014 Washington Street Newton, MA 02462 Brian Sard, M.D.	1,409.00
07/08/02	Boston Neurosurgical Mark R. Proctor, M.D.	<u>208.00</u>

**TOTAL:           \$ 1,854.00**

**CLIENT:** Allison Treanor

**DATE OF LOSS:** April 18, 2002

**OUR FILE NO.:** trt10883

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**CHRONOLOGICAL LIST OF MEDICAL RECORDS**

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**G.**

04/18/02 Putnam Community Medical Center – Emergency Department Record  
Charles T. Donaldson, M.D.

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**CHRONOLOGICAL LIST OF MEDICAL BILLS**

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**H.**

04/18/02	Putnam Medical Center	80.00
	P.O. Box 778	
	Palatka, FL 32178-0778	
	Charles T. Donaldson, M.D.	

**TOTAL:           \$ 80.00**